

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

AARON MICHAEL JONES)

Defendant.)

Criminal No. 06-121
Electronically Filed

***MEMORANDUM ORDER RE: DEFENDANT'S MOTION REGARDING UNFAIR
TREATMENT AND DENIAL OF RIGHTS (Doc. No. 82)***

Presently before this Court is Defendant's Motion Regarding Unfair Treatment and Denial of Rights. Doc. No. 82. Defendant alleges three claims in support of his Motion: 1) that he has been denied the right to practice his religion; 2) that the Judge in state court has denied him a bond reduction hearing and has not ruled on a bond reduction based upon the dropping of his higher felony charges; and 3) that he should be immediately returned to the custody of the Bureau of Prisons under the Interstate Detainer Act and because the State "should be required to dismiss the case for failure to prosecute and many other violations." Doc. No. 82. Defendant has filed numerous Motions with the Court, most recently a Motion requesting to be returned to federal custody under the Interstate Detainer Act and alleging violations of his rights while incarcerated. Doc. No. 75. The Court denied Defendant's Motion on March 11, 2011. Doc. No. 78. Defendant has appealed that decision to the United States Court of Appeals for the Third Circuit. *See* Doc. Nos. 79-80.

As to Defendant's first claim that he is being denied the ability to practice his religion, it is unclear how and to what extent Defendant's ability is being inhibited. Nevertheless, it appears that, as in previous Motions, Defendant is claiming relief pursuant to 28 U.S.C. § 2241.

Defendant's claim that he has been denied rights while in jail must be denied because the Motion

does not name or seek relief from the person who has physical custody over him, namely the Warden of the institution with physical custody of Defendant. *See* 28 U.S.C. § 2242, *Coder v. O'Brien*, 2010 WL 2605203, * 2 (W.D. Va. June 30, 2010).

As to claim two that the State Court Judge has denied a bond reduction hearing, because it appears that this issue is already properly before the State Court Judge, whose ruling is pending, this claim will be denied.

Finally, as to Defendant's claim under the Interstate Detainer Act, Defendant has previously raised this issue in his prior Motion. Doc. No. 75. As previously noted, the Court denied Defendant's prior Motion on March 11, 2011. *See* Doc. No. 78. The Court's prior Memorandum Order denying Petitioner's Motion under 28 U.S.C. § 2241 is currently on appeal to the United States Court of Appeals for the Third Circuit. *See* Doc. Nos. 79-80.

AND NOW, this 10th day of May 2011, for the reasons set forth in the foregoing Memorandum Order, Defendant's Motion Regarding Unfair Treatment and Denial of Rights (Doc. No. 82) is **DENIED**.

SO ORDERED,

s/ Arthur J. Schwab

Arthur J. Schwab

United States District Judge

cc: All Registered ECF Counsel and Parties

AARON MICHAEL JONES

119197

950 2nd Ave.

Pittsburgh, PA 15219

PRO SE